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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/802,658

Applicant(s)

BASCHY, LEO MARTIN

Examiner

LINH K. PHAM

Art Unit

2174

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 1-12, 28-34, and 36-43.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12, 28-34 and 36-43 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12, 28-34, and 36-43 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/06)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. This Office Action is in response to the Request for Continued Examination filed on 10/16/2008.
2. In the Instant Amendment, Claim 43 has been added; Claims 13-27 and 35 were previously canceled; Claims 1 and 7 were amended; Claims 1 and 10 are independent claims; Claims 1-12, 28-34, and 36-43 have been examined and are pending.

This Action is made NON-FINAL.

Continued Examination Under 37 CFR 1.114

3. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/16/2008 has been entered.

Claim Rejections - 35 USC § 101

4. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

5. **Claims 1-12, 28-34, and 36-43 are rejected under 35 U.S.C. 101** because the claims are directed to non-statutory subject matter.

Regarding claims 1 and 10; claims 1 and 10 recite the limitation “*A graphical user interface for representing ...*” In view of the Applicant’s disclosure, paragraphs 0022, 0029, and 0033-0041, the graphical user interface is implemented by software; software does not belong to any of the four statutory categories set forth above. Therefore, the aforementioned claims are directed to non-statutory subject matter. (See *In re Bilski*, Appeal No. 2007-1130; *Diamond v. Diehr*, 450 U.S. 175, 184 (1981); *Parker v. Flook*, 473 U.S. 584, 588 n.9 (1978); *Gottschalk v. Benson*, 409 U.S. 63, 70 (1972); *Cochrane v. Deener*, 94 U.S. 780, 787-88 (1976)).

Regarding claims 2-9, 11-12, 28-34, and 36-43, claims 2-9, 11-12, 28-34, and 36-43 are also rejected under 35 U.S.C. 101 for the same reason as stated above.

Claim Rejections - 35 USC § 112

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

7. **Claims 1-9, 33-34, 36-37, 38-39, and 43** are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 1, claim 1 recites the limitation “*one or more display regions for graphical representations of all access control settings for the resource, which result from transformations;*” (emphasis added). This is unclear as to whether one or more display regions, or all access control settings, or the resource result(s) from transformations. For the purpose of

applying art, the Examiner interprets the aforementioned limitation to mean “*one or more display regions for graphical representations of all access control settings for the resource; wherein the one or more display regions result from transformations.*”

Regarding claims 2-9, 33-34, 36-37, 39-39, and 43; claims 2-9, 33-34, 36-37, 39-39, and 43 are dependent on claim 1, and therefore inherit the 35 U.S.C. 112, second paragraph, issues of the independent claim.

Claim Rejections - 35 USC § 102

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102(e) that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

9. **Claims 1-5, 7-8, 36, and 38 are rejected under 35 U.S.C. 102(*)** as being anticipated by Hayes Jr. (“Hayes”, US 6,205,476).

Regarding claim 1, Hayes discloses a graphical user interface for representing and facilitating user manipulation of persistent yet revocable access control settings for a resource comprising: one or more display regions for graphical representations of all access control settings for the resource (*Figs. 15-23; displaying one or more regions on the IBM window; col.*

21, lines 1-28; Fig. 24;), which result from transformations applied to the structured data which defines the access control settings for the resource (col. 19, lines 12-48; Fig. 17; list 1720 shows all names of all applets that have been defined to the system and the permission status (permit or deny access); and

one or more display regions for normal size, legibly scaled, unabridged representation of the content of the resource (Figs. 13-22; showing one or more display regions; such as a content of resource is displayed on the left panel);

wherein the set of display regions for representations of the access control settings (col. 20, lines 65-67 to col. 21, lines 1-8; Fig. 24) and the display region for representation of the content of the resource are concurrently visible (col. 20, lines 65-67 to col. 21, lines 1-8; Fig. 24; the user, which is relative with Applet list, is highlight on the left panel), are concurrently operable, and appear to the operator as in an integrated graphical user interface (col. 18, lines 34-55; Fig. 15; the content of the resource is displayed on the left side pane and the applet permissions 1518; col. 20, lines 37-64; ; Fig. 20-23; the information will be displayed on the right panel of the IBM window and the administrator can create new users and modify and delete existing users, as already discussed, without being in the context of a group or subgroup); and wherein the resource is a digital document (col. 3, lines 38-45; uses a unique identifier to access the file; which is known as a digital document, from the server; Figs. 13-22; showing one or more display regions; such as a content of resource is displayed on the left panel).

Regarding claim 2, Hayes discloses the graphical user interface of claim 1, wherein one or more functions modify the spatial layout of the display regions for representations of the access control settings (col. 20, lines 65-67 to col. 21, lines 1-28; Fig. 17 and Fig. 24).

Regarding claim 3, Hayes discloses the graphical user interface of claim 1, wherein one or more functions modify the number of the display regions for representations of the access control settings (*col. 9, lines 56-67 to col. 10, lines 1-2; col. 11, lines 24-59; Fig. 5.*

Regarding claim 4, Hayes discloses the graphical user interface of claim 1, wherein one or more functions modify the transformations that are applied to the structured data (*col. 9, lines 56-67 to col. 10, lines 1-2; col. 11, lines 24-59; Fig. 5.*

Regarding claim 5, Hayes discloses the graphical user interface of claim 1, wherein a user is graphically represented by a display element comprising, at least in part, a likeness of the user (*col. 14, lines 10-31; Fig. 8; a desktop object uses the applet information to build a folder for the applets and to generate a window displaying the icons and the user friendly name for each applet to which the user has access; Figs. 12-24).*

Regarding claim 7, Hayes discloses the graphical user interface of claim 1, wherein the set of display regions further comprises:

a display region for a graphical representation of the set of groups, users and roles defined by existing structured data for the resource (*col. 8, lines 1-59; Fig. 2-3)* and their respective access privileges (*col. 8, lines 43-67 to col. 9, lines 1-52; Fig. 3; col. 10, lines 8-18; Fig. 4; Fig. 12-14); and*

a display region for a graphical representation of the result of transforming the set of groups, users and roles and their respective access privileges into a corresponding set of individual users and their respective effective access privileges (*col. 6, lines 26-50).*

Regarding claim 8, Hayes discloses the graphical user interface of claim 1, further comprising a first display region for a graphical representation of at least one set of known users and groups (*col. 17, lines 59-67; Fig. 13; user group 1302 and users 1304*), wherein the operator can designate indicia for known users and groups and visually associate the designated indicia with a second display region to change the structured data which defines the access control settings for the resource (*col. 18, lines 32-67; Figs. 15-16*).

Regarding claim 36, Hayes discloses the graphical user interface of claim 7, wherein a user is graphically represented by a display element comprising, at least in part, a likeness of the user (*col. 14, lines 10-31; Fig. 8; a desktop object uses the applet information to build a folder for the applets and to generate a window displaying the icons and the user friendly name for each applet to which the user has access; Figs. 12-24*).

Regarding claim 38, Hayes discloses the graphical user interface of claim 8, wherein a user is graphically represented by a display element comprising, at least in part, a likeness of the user (*col. 14, lines 10-31; Fig. 8; a desktop object uses the applet information to build a folder for the applets and to generate a window displaying the icons and the user friendly name for each applet to which the user has access; Figs. 12-24*).

Claim Rejections - 35 USC 103

10. **Claims 6, 37, and 39 are rejected under 35 U.S.C. 103(a)** as being unpatentable over Hayes Jr. ("Hayes", US 6,205,476) in view of Steinberg (US 2002/0141639).

Regarding claim 6, Hayes teaches the graphical user interface of claim 5, but not explicitly disclose adjusting image color saturation toward a predetermined target saturation level; converting to grayscale; adjusting image brightness toward a predetermined target brightness level; adjusting image contrast toward a predetermined target contrast level; adjusting image sharpness toward a predetermined target sharpness level; and masking with a shape selected from a set comprising ovals and outlines of a bust.

However, Steinberg teaches a method for automated image correction for digital image acquisition wherein adjusting image color saturation toward a predetermined target saturation level (*para. 0004; paras. 0015-0016*);

converting to grayscale (*para. 0011*);

adjusting image brightness toward a predetermined target brightness level (*paras. 0012-0014*);

adjusting image contrast toward a predetermined target contrast level (*paras. 0012-0014*);

adjusting image sharpness toward a predetermined target sharpness level (*para. 0031*); and masking with a shape selected from a set comprising ovals and outlines of a bust (*para. 0031*).

Therefore, it would have been obvious to an artisan at the time invention were made to combine the teachings of Steinberg with the method of Hayes in order to provide automated color correction for differenced between the reference colors in a color chart and adjust for brightness and optimum contrast (*para. 0014*).

Regarding claim 37, Hayes teaches the graphical user interface of claim 36, but does not explicitly disclose the likeness comprises, at least in part, a digital photograph, processed by a method including at least one step selected from the set of: adjusting image color saturation toward a predetermined target saturation level; converting to grayscale; adjusting image brightness toward a predetermined target brightness level; adjusting image contrast toward a predetermined target contrast level; adjusting image sharpness toward a predetermined target sharpness level; and masking with a shape selected from a set comprising ovals and outlines of a bust.

However, Steinberg teaches a method for automated image correction for digital image acquisition wherein the likeness comprises, at least in part, a digital photograph (*para. 0001; method for transforming the colors in a digital image to a color corrected digital image*), processed by a method including at least one step selected from the set of:

adjusting image color saturation toward a predetermined target saturation level (*para. 0004; paras. 0015-0016*);

converting to grayscale (*para. 0011*);

adjusting image brightness toward a predetermined target brightness level (*paras. 0012-0014*);

adjusting image contrast toward a predetermined target contrast level (*paras. 0012-0014*);

adjusting image sharpness toward a predetermined target sharpness level (*para. 0031*) and

masking with a shape selected from a set comprising ovals and outlines of a bust (*para. 0044*).

Therefore, it would have been obvious to an artisan at the time invention were made to combine the teachings of Steinberg with the method of Hayes in order to provide automated color correction for difference between the reference colors in a color chart and adjust for brightness and optimum contrast (*para. 0014*).

Regarding claim 39, claim 39 is similar in scope to claim 37, and is therefore rejected under similar rationale.

11. **Claims 9 and 43 are rejected under 35 U.S.C. 103(a)** as being unpatentable over Hayes Jr. ("Hayes", US 6,205,476) in view of Bhetanabhotla et al., ("Bhetanabhotla", US 2002/0167538).

Regarding claim 9, Hayes teaches the graphical user interface of claim 8, but does not explicitly disclose the first display region is reduced in size until activated by the user, and the first display region is increased in size upon activation.

However, Bhetanabhotla teaches a method comprising flexible organization of information using multiple hierarchical categories (*paras. 0106-0109; Fig. 1; categories 110 contains the category hierarchies used for categorization of the information items are displayed*) wherein the first display region is reduced in size until activated by the user, and the first display region is increased in size upon activation (*para. 0066; Fig. 1; the information item is displayed on the area content 130*).

Therefore, it would have been obvious to an artisan at the time invention was made to combine the teachings of Bhetanabhotla with the method of Hayes in order to provide users with

a means to share information right from out of one's computer system while enforcing permissions and monitoring activities (*para. 0031*).

Regarding claim 43, Hayes teaches the graphical user interface of claim 38, but does not explicitly disclose the first display region is reduced in size until activated by the user, and the first display region is increased in size upon activation.

However, Bhetanabhotla teaches a method comprising flexible organization of information using multiple hierarchical categories (*paras. 0106-0109; Fig. 1; categories 110 contains the category hierarchies used for categorization of the information items are displayed*) wherein the first display region is reduced in size until activated by the user, and the first display region is increased in size upon activation (*para. 0066; Fig. 1; the information item is displayed on the area content 130*).

Therefore, it would have been obvious to an artisan at the time invention was made to combine the teachings of Bhetanabhotla with the method of Hayes in order to provide users with a means to share information right from out of one's computer system while enforcing permissions and monitoring activities (*para. 0031*).

12. Claims 10-12, 28-32, 40, and 42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hildebrand et al., ("Hildebrand", US 2004/0103202) in view of Sekiguchi (US 6,711,687), and further in view of Hayes Jr. ("Hayes" US 6,205,476).

Regarding claim 10, Hildebrand teaches a graphical user interface for representing access log information and access control settings for a resource, wherein at least one display region

contains a graphical representation of a set comprising one or more individual users, and wherein each of the individual users is graphically represented by a visual element which comprises:

the identity of the individual user having read privilege for the resource (*para. 0102; Fig. 2C.1; user A has read permission to the document; see also para. 0135 and Fig. 5B.1*); and

a differing visual element for indicating if the user has write privilege for the resource (*para. 0138; Fig. 5B.1; users can be assigned to different access privileges; such as user A may be an executive or a branch supervisor who has all the access privileges to any secured documents, user B has limited access privileges while everyone in user group C shares the same access privileges*); and one or more of the following visual elements (*para. 0102; Fig. 2C.1; user D has read and write permissions to the document; see also para. 0135 and Fig. 5B.1*):

Hildebrand teaches all limitations as recited above, but does not disclose representation of the time of the most recent read access by the user to the resource; representation of the time of the most recent write access by the user to the resource; indication whether the most recent write access by the user to the resource is the most recent write access by any user to the resource; indication whether the most recent read access by the user to the resource has been before the most recent write access by any user to the resource; indication whether the most recent read access by the user to the resource has been since the most recent write access by any user to the resource; and indication whether the user currently is without read privilege for the resource; and

However, Sekiguchi teaches a security monitoring apparatus based on access log wherein representation of the time of the most recent read access by the user to the resource (*col. 5, lines 14-55; the security management unit 112 executes statistical process of the access log 201 to*

obtain security management information 203 which includes the most recent access to the document; Figs. 3-5 and 7-10);

representation of the time of the most recent write access by the user to the resource (col. 5, lines 14-55; Figs. 3-5 and 7-10);

indication whether the most recent write access by the user to the resource is the most recent write access by any user to the resource (col. 5, lines 14-55; Figs. 3-5 and 7-10);

indication whether the most recent read access by the user to the resource has been before the most recent write access by any user to the resource; indication whether the most recent read access by the user to the resource has been since the most recent write access by any user to the resource (col. 5, lines 14-55; Figs. 3-5 and 7-10); and

indication whether the user currently is without read privilege for the resource (col. 4, lines 6-19 to col. 5, lines 14-55); and wherein the resource is a digital document (Figs. 3-5 and 7-10; Text file and Execute files are known as a digital document).

Therefore, it would have been obvious to an artisan at the time invention was made to combine the teachings of Sekiguchi with the method of Hildebrand in order to provide a security monitoring system that performs more powerful maintenance and management of security (*col. 2, lines 6-12*).

Sekiguchi and Hildebrand teach all limitations as recited above, but do not explicitly disclose the resource is a digital document.

However, Hayes teaches a system with a network interconnecting a server and a plurality of user stations wherein the resource is a digital document (*col. 3, lines 38-45; uses a unique*

identifier to access the file; which is known as a digital document, from the server; Figs. 13-22; showing one or more display regions; such as a content of resource is displayed on the left panel).

Therefore, it would have been obvious to an artisan at the time invention was made to combine the teachings of Hayes with the graphical user interface of Sekiguchi and Hildebrand in order to provide users with means for allowing an administrator to configure a user application by running the application directly in the context of a user or user group, rather than in the context of the administrator and allowing administrators to configure an end user application directly by effectively running the end user application while posing as a user or as a user group. *(col. 4, lines 25-28 and lines 53-55).*

Regarding claim 11, Hildebrand, Sekiguchi, and Hayes teach the graphical user interface of claim 10.

Hildebrand further teaches the set of individual users consists of: the set of users who have any access privilege at all for the resource (*para. 0135; Fig. 5B.1; user A has all access permissions, user B has only open and print permissions, and users in user group C have open, edit, write, and download permissions for the document*); and

the set of users who have accessed the resource in the past although they currently are without any access privilege for the resource (*paras. 0073, 0102, and 0135; a system administrator is able to change access privilege of a user at any time using administration interface 506*).

Regarding claim 12, Hildebrand, Sekiguchi, and Hayes teach the graphical user interface of claim 10.

Hayes further teaches a display region for a normal size, legibly scaled, unabridged representation of the content of the resource (*Figs. 13-22; showing one or more display regions; such as a content of resource is displayed on the left panel*), wherein the display region for representation of the set of users and the display region for representation of the resource appear to the operator as an integrated graphical user interface (*col. 18, lines 34-55; Fig. 15; the content of the resource is displayed on the left side pane and the applet permissions 1518; col. 20, lines 37-64; ; Fig. 20-23; the information will be displayed on the right panel of the IBM window and the administrator can create new users and modify and delete existing users, as already discussed, without being in the context of a group or subgroup*).

Regarding claim 28, Hildebrand, Sekiguchi, and Hayes teach the graphical user interface of claim 10.

Hildebrand further teaches the time of the most recent access by the user (*paras. 0013-0016*);

Sekiguchi further teaches the time of the most recent write access by the user (*col. 5, lines 14-55; the security management unit 112 executes statistical process of the access log 201 to obtain security management information 203 which includes the most recent access to the document*); and current privileges the user has for the resource (*col. 5, lines 14-55*).

Regarding claim 29, Hildebrand, Sekiguchi, and Hayes teach the graphical user interface of claim 10.

Hayes further teaches a user is graphically represented by a display element comprising, at least in part, a likeness of the user (*col. 14, lines 10-31; Fig. 8; a desktop object uses the applet information to build a folder for the applets and to generate a window displaying the icons and the user friendly name for each applet to which the user has access; Figs. 12-24*).

Regarding claim 30, Hildebrand, Sekiguchi and Hayes teach the graphical user interface of claim 12.

Hildebrand further teaches the set of users who have any access privilege at all for the resource (*para. 0135; Fig. 5B.1; user A has all access permissions, user B has only open and print permissions, and users in user group C have open, edit, write, and download permissions for the document*); and the set of users who have accessed the resource in the past although they currently are without any access privilege for the resource (*paras. 0073, 0102, and 0135; a system administrator is able to change access privilege of a user at any time using administration interface 506*).

Regarding claim 31, Hildebrand, Sekiguchi, and Hayes teach the graphical user interface of claim 12,

Sekiguchi further teaches graphical representations of users are sorted by one or more of the following attributes: the time of the most recent access by the user (*col. 5, lines 14-55; the security management unit 112 executes statistical process of the access log 201 to obtain security management information 203 which includes the most recent access to the document*); the time of the most recent write access by the user (*col. 5, lines 14-55*); and current privileges the user has for the resource (*paras. 0013-0016*).

Regarding claim 32, Hildebrand, Sekiguchi and Hayes teach the graphical user interface of claim 12.

Hayes further teaches a user is graphically represented by a display element comprising, at least in part, a likeness of the user (*col. 14, lines 10-31; Fig. 8; a desktop object uses the applet information to build a folder for the applets and to generate a window displaying the icons and the user friendly name for each applet to which the user has access; Figs. 12-24*).

Regarding claim 40, Hildebrand, Sekiguchi, and Hayes teach the graphical user interface of claim 30.

Hayes further teaches a user is graphically represented by a display element comprising, at least in part, a likeness of the user (*col. 14, lines 10-31; Fig. 8; a desktop object uses the applet information to build a folder for the applets and to generate a window displaying the icons and the user friendly name for each applet to which the user has access; Figs. 12-24*).

Regarding claim 42, Hildebrand, Sekiguchi, and Hayes teach the graphical user interface of claim 31.

Hayes further teaches a user is graphically represented by a display element comprising, at least in part, a likeness of the user (*col. 14, lines 10-31; Fig. 8; a desktop object uses the applet information to build a folder for the applets and to generate a window displaying the icons and the user friendly name for each applet to which the user has access; Figs. 12-24*).

13. **Claims 33-34 are rejected under 35 U.S.C. 103(a)** as being unpatentable over Hayes Jr. ("Hayes" US 6,205,476) in view of Hildebrand et al., ("Hildebrand", US 2004/0103202)

Regarding claim 33, Hayes teaches the graphical user interface of claim 8, but does not explicitly disclose the set further comprises access control settings macros and the operator can designate indicia for macros and visually associate the designated indicia with the second display region to change the structured data which defines the access control settings for the resource.

However, Hildebrand teaches method for providing distributed access control to secured items wherein the set further comprises access control settings macros and the operator can designate indicia for macros and visually associate the designated indicia with the second display region to change the structured data which defines the access control settings for the resource (*paras. 0108 and 0135; Figs. 2D and 5B.1; system administrator is able to define user group as well as add/delete users into access list 276 using GUI 275*).

Therefore, it would have been obvious to an artisan at the time invention was made to combine the teachings of Hildebrand with the graphical user interface of Hayes in order to provide users with means for protecting data in an enterprise environment, and more particularly, relates processes, systems, architectures and software products for providing pervasive security to digital assets at all times (*para. 0003*).

Regarding claim 34, Hayes and Hildebrand teach he graphical user interface of claim 33.

Hayes further teaches a user is graphically represented by a display element comprising, at least in part, a likeness of the user (*col. 14, lines 10-31; Fig. 8; a desktop object uses the applet information to build a folder for the applets and to generate a window displaying the icons and the user friendly name for each applet to which the user has access; Figs. 12-24*)..

14. **Claim 41 is rejected under 35 U.S.C. 103(a)** as being unpatentable over Hildebrand, in view of Sekiguchi, in view of Hayes, and further in view of Steinberg (US 2002/0141639).

Regarding claim 41, Hildebrand, Sekiguchi, and Hayes disclose the graphical user interface of claim 40, but does not explicitly disclose the likeness comprises, at least in part, a digital photograph, processed by a method including at least one step selected from the set of: adjusting image color saturation toward a predetermined target saturation level; converting to grayscale; adjusting image brightness toward a predetermined target brightness level; adjusting image contrast toward a predetermined target contrast level; adjusting image sharpness toward a predetermined target sharpness level; and masking with a shape selected from a set comprising ovals and outlines of a bust.

However, Steinberg teaches a method for automated image correction for digital image acquisition wherein the likeness comprises, at least in part, a digital photograph (*para. 0001; method for transforming the colors in a digital image to a color corrected digital image*), processed by a method including at least one step selected from the set of:

adjusting image color saturation toward a predetermined target saturation level (*para. 0004; paras. 0015-0016*); converting to grayscale (*para. 0011*);
converting to grayscale (*para. 0011*);
adjusting image brightness toward a predetermined target brightness level (*paras. 0012-0014*);
adjusting image contrast toward a predetermined target contrast level (*paras. 0012-0014*);
adjusting image sharpness toward a predetermined target sharpness level (*para. 0031*); and

masking with a shape selected from a set comprising ovals and outlines of a bust (*paras. 0031 and 0044*).

Therefore, it would have been obvious to an artisan at the time invention were made to combine the teachings of Steinberg with the method of Hildebrand, Sekiguchi, and Hayes in order to provide automated color correction for differenced between the reference colors in a color chart and adjust for brightness and optimum contrast (*para. 0014*).

Response to Arguments

15. Applicants' arguments in the instant Amendment, filed 10/16/2008 have been fully considered but they are not persuasive.

Applicants argued the following:

(a) Hayes doesn't show normal size, legibly scaled, unabridged representation of the content of the resource wherein the resource is a digital document.

(b) Hayes there is no indication of concurrently showing access control settings and content, data or documents, let alone them being concurrently operable.;

(c) Hayes doesn't show the result of transforming the set of groups, users and roles defined by existing structured data for the resource and their respective access privileges into a corresponding set of individual users and their respective effective access privileges.;

(d) Sekiguchi doesn't teach user interface showing information for one document only.
(not includes in claim 10)

(e) Sekiguchi doesn't teach a user interface showing graphical representations of users sorted. (PREAMBLE)

(f) Hayes doesn't show normal size, legibly scaled, unabridged representation of the content of documents in the same UI as access control.

The Examiner disagrees due to the following reasons:

Per (a), Based on the claim language, *“one or more display regions for normal size, legibly scaled, unabridged representation of the content of the resource,”* the Examiner selects **one display region** for the rejection. Hayes discloses one or more display regions for normal size, legibly scaled, unabridged representation of the content of the resource (*Figs. 13-22; showing one or more display regions; such as a content of resource is displayed on the left panel*);

Per (b) Hayes there is indication of concurrently showing access control settings (*col. 20, lines 65-67 to col. 21, lines 1-8; Fig. 24*) and content, data (*col. 20, lines 65-67 to col. 21, lines 1-8; Fig. 24; the user, which is relative with Applet list, is highlight on the left panel*) or documents, let alone them being concurrently operable (*col. 18, lines 34-55; Fig. 15; the content of the resource is displayed on the left side pane and the applet permissions 1518; col. 20, lines 37-64; ; Fig. 20-23; the information will be displayed on the right panel of the IBM window and the administrator can create new users and modify and delete existing users, as already discussed, without being in the context of a group or subgroup*).

Per (c) Hayes shows the result of transforming the set of groups, users and roles defined by existing structured data for the resource and their respective access privileges into a corresponding set of individual users and their respective effective access privileges;

1. Per (d) In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e.,

“user interface showing information for one document only”) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Per (e) In response to applicant's arguments, the recitation *“a user interface showing graphical representations of users sorted”* has not been given patentable weight because the recitation occurs in the preamble. A preamble is generally not accorded any patentable weight where it merely recites the purpose of a process or the intended use of a structure, and where the body of the claim does not depend on the preamble for completeness but, instead, the process steps or structural limitations are able to stand alone. See *In re Hirao*, 535 F.2d 67, 190 USPQ 15 (CCPA 1976) and *Kropa v. Robie*, 187 F.2d 150, 152, 88 USPQ 478, 481 (CCPA 1951).

Per (f) In response to applicant's arguments, the recitation *“normal size, legibly scaled, unabridged representation of the content of documents in the same UI as access control”* has not been given patentable weight because the recitation occurs in the preamble. A preamble is generally not accorded any patentable weight where it merely recites the purpose of a process or the intended use of a structure, and where the body of the claim does not depend on the preamble for completeness but, instead, the process steps or structural limitations are able to stand alone. See *In re Hirao*, 535 F.2d 67, 190 USPQ 15 (CCPA 1976) and *Kropa v. Robie*, 187 F.2d 150, 152, 88 USPQ 478, 481 (CCPA 1951).

Inquiries

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LINH K. PHAM whose telephone number is (571)270-3230. The examiner can normally be reached on Monday to Thursday from 7:30AM to 5:00PM (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hong S. Stephen can be reached on (571) 272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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/SY D. LUU/
Primary Examiner, Art Unit 2174

December 18, 2008
/Linh K Pham/
Examiner, Art Unit 2174